

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, MARCH 10, 2005

Presiding: Glenn W. Dalling
Meeting Convened at 6:30 p.m.
Prayer: Mayor Dalling
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Council members Tim Kershaw, Brent Barrus, and Walter Deitz; Scott Lee, City Attorney; Dick Dyer, City Engineer; Sharee Palmer, Planning & Zoning Commission; Sarah Cummings, Standard Journal; Jan Gallup; Gerry Bates; Spencer Larsen, Madison County Fire Protection Agency; Dave Thompson; and Stephen Peters. Council member Barrus was excused for part of the meeting; Council member Harris was excused.

The Mayor asked if there were any corrections to the minutes of the regular meeting held February 10, 2005. Each council member had a copy of said minutes prior to the meeting. It was moved by Council member Barrus and seconded by Council member Deitz to accept said minutes; motion carried.

Marcie presented the February reconciliation reports for the General Fund. It was moved by Council member Barrus and seconded by Council member Kershaw to accept the February reconciliation reports for the General fund; motion carried. Marcie presented the February reconciliation reports for the Utility Fund. It was moved by Council member Deitz and seconded by Council member Barrus to accept the February reconciliation reports for the Utility fund; motion carried.

Marcie presented the current bills in the amount of \$36,375.82. It was moved by Council member Barrus and seconded by Council member Deitz to pay the current bills, together with all regular March bills that have not yet been received; motion carried.

CITIZEN INPUT: There were no comments from citizens.

GERRY BATES – IDAHO COMMUNITY FORESTRY COUNCIL, TREE CITY USA

PRESENTATION: Mr. Bates said he does community forestry for the Idaho Department of Lands and he helps cities develop urban forestry programs. They do the Tree City USA programs in the State and Sugar City has been involved in the program for a long time. There are four things that have to be done as a community to qualify as a Tree City USA: (1) have a tree committee who advises the City Council on the care of the publicly owned trees; (2) have a tree ordinance that administers for the care of those publicly owned trees; (3) spend \$2 per capita for the care of the trees in the city; and (4) celebrate Arbor Day which is typically the last Friday of April. Sugar City did not qualify as a Tree City USA in the calendar year 2004. He said there are grants available and he presented an application form for the 2005 Arbor Day Grant Program. It is a \$150 grant, and is due by fax in Coeur d'Alene on Monday, March 14, 2005. The main electric power producers in the State sponsor it, and it is to promote an Arbor Day celebration.

Council member Barrus said it is his responsibility. The Mayor asked him to get a committee to work with him all year long.

7:00 p.m. Council member Barrus was excused for an hour or so.

CHIEF SPENCER LARSEN, MADISON COUNTY FIRE PROTECTION DISTRICT:

Chief Larsen said the commissioners asked him to come and talk to the Council. They are preliminarily looking at Sugar City as a location to put a substation sometime down the road similar to the one they did in the Archer area. The first step toward this project is to find a piece of ground in a location that will serve Sugar City, not only now but in the future. Then they will go after a community development block grant and use the ground as a match towards trying to get those funds. A discussion was had on ground that could be used for that purpose. He said volunteers would run it. The Mayor said we will discuss it further and thanked him for coming.

JAN GALLUP — REPORT ON CHANGES TO COMPREHENSIVE PLAN MAPS:

Jan presented a revised Transportation Map dated 3-4-05 and a revised Comprehensive Map dated 3-4-05 so the changes they made can be compared with the first maps. She explained said changes, and discussion was had. The revised maps will be presented at the City Council's public hearing on March 24th. She said after the public hearing, the Comprehensive Plan has to be presented to Madison County for the commissioners to approve. She said our land use map has to balance out with their ideas of what is happening in the County. Jan said the P&Z's public hearing didn't go as well as she wanted, so she changed the power point presentation for the City Council's public hearing. It is more basic, explains more, and gives more examples. They received feedback that people did not understand it. There will be a write up in the paper. Jan said these initial public hearings bring out the fact that we have a plan to present. It gets everyone thinking about it. Attorney Lee said if we have multiple public hearings, we would have more community participation. Jan said they would present the plan the way it is and see what comment we get at the public hearing on March 24th.

PLANNING & ZONING REPORT: Sharee Palmer addressed the Council.

P&Z Public Hearing: Sharee said five people attended their public hearing. They didn't understand, but they gave some input. She said she cannot report to the Council on what P&Z recommends doing about the Comprehensive Plan, to accept it or not, because they did not make a motion to do that. After talking to the attorney and after further discussion, it was decided they would make their recommendation on March 24th just before the City Council's public hearing.

Design Standards: Sharee said P&Z discussed how we need design standards and they are going to work on that. It was suggested that we put a moratorium on any new commercial building, manufacturing or multi-family building. It wouldn't include residential single-family dwellings. There would be a moratorium on any new building in those zones while they prepare the design standards. Attorney Lee said a moratorium could be lifted. Jan Gallup said at the same time we are trying to get finished with the Comprehensive Plan, she is also a fourth of the way through the Planning & Zoning ordinances. She and Walter will be working on the water and sewer ordinance, and all of those things have an impact on building. She said the moratorium would affect more than design standards because we need to have our new zones in place, and to have the water and sewer ordinance up-to-date. The Mayor said we would discuss it further when Council member Barrus returns.

Adult Bookstore Issue: Sharee said we need to look at the adult bookstore issue.

Attorney Lee said the State law says you need to keep them 2,500 feet from churches and schools. He feels we need to have an ordinance so we can be a little more specific. The Mayor said we will discuss it when Council member Barrus returns.

Comprehensive Plan: Sharee said it was suggested at the public hearing that the Comprehensive Plan could be put on the City's website. She said Dave Thompson would be willing to help with that at no cost.

Maps: A discussion was had on whether or not we have current zoning maps. Sharee said we will wait until the Comprehensive Plan is done to get the maps revised.

P&Z Commission Members: P&Z Commission members will be discussed at the County Commissioners' meeting next Monday. The new member will go in April 1st. P&Z will need a City member by April 1st.

DISCUSSION – NO-DIG ORDINANCE: The Mayor asked the Council to study their copies of the no-dig ordinance that Dick Dyer prepared. He would like this item put on another agenda.

8:10 p.m. Council member Barrus returned.

ENGINEER'S REPORT: Dick Dyer addressed the Council.

Estimates for Railroad Avenue Sewer Repair: Dick said we received two estimates for the Railroad Avenue sewer repair today: HK Contractors, \$10,915; and Zollingers, \$11,585. He said DePataco had been invited but apparently didn't get an estimate turned in. The deadline was 5 p.m. today. He asked them in his letter to guess at what they thought it would take to do the project, and to give us their equipment hourly rates. He told the contractors we would do this on a time and materials basis. He said everyone is concerned about ground water so there are disclaimers in there. The Mayor asked Council member Deitz to discuss the matter with Dick after he has more details on it, and together make a decision on it. Dick said either of the bids would be acceptable. His own estimated cost was \$11,100.

Walter said last month when we made our motion about fixing the sewer line, it was also to put in a manhole before it dumps into the lift station. Dick said that would cost another \$3,000 to do, and we would have access to that line for cleaning. He said the line has already demonstrated it is susceptible to difficulty.

Bird Sewer Repair: Dick said Mr. Bird was supposed to have been hooked up to the sewer line that went to Smith Park. He explained the problems Mr. Bird was having with his sewer backing up. Unknown to anyone he was inadvertently hooked to an abandoned line. It has now been connected correctly and is working fine. The Mayor said we got the bill from DePatco and approved the payment. Walter said we have several bills from Roto Rooter – on July 8, 2004, they came out and hydro cleaned the line for \$145; then on January 1st, 2005, they came out and worked all day trying to clean it, and they were successful; then they came out on February 23rd and cleaned for \$1,240. Mr. Bird has paid the \$145, but not the \$1,240. Council member Deitz feels the City is responsible to pay these because we didn't hook the line up correctly and Mr. Bird thought he was hooked on. **MOTION:** It was moved by Council member Deitz and seconded by Council member Kershaw that we pay the entire bill of \$1,385, which includes what Mr. Bird has already paid and what he hasn't paid; Council member Barrus voted nay; motion carried.

No-Dig Ordinance: The Mayor told Dick no one has their copy here tonight. He asked the Council to study it, and it will be put on a later agenda.

Drinking Water Waiver: Dick said he received the City's drinking water waiver

evaluation and monitoring schedule from the DEQ. He applied to not have to do quite so many tests on the various expensive chemicals based on our track record through the years of not having any problems or concerns with them. We got the letter back today and they have excused the City for most everything that we applied for. It will save the City about \$2,800 a year. We apply for a waiver every four to five years.

DEPARTMENT REPORTS:

COUNCIL MEMBER BARRUS:

Flood Run/Teton Marathon: Brent said the City of Rexburg is going to do their marathon. They are going to do a 5K, a 10K, and have a marathon. They don't care whether or not we are involved. They have put a lot of work in it, and the hospital is having a health fair to check the runners when they come in. He talked to Norm Gage, who suggested we have a flood day where families could gather in the park and have a family day to commemorate the flood in 1976. Brent feels we should pass on the flood run this year and try it again next year and ask Rexburg if they would change their marathon to another day. The Mayor suggested Brent find out how many people have run the flood run in the past and pursue it from that standpoint. Brent said he will talk with Loretta Smith and Paul Jeppson about it. A discussion was had on possibly extending our 24th of July celebration and having activities in the park.

Easter Egg Hunt: Brent said the Easter Egg Hunt will be Saturday, March 26th, at 10 a.m. at Smith Park, for ages 1 through 10. Mike Daly is helping with it for a scout project.

COUNCIL MEMBER KERSHAW:

Report on Caisson Labs Contact: Tim said he didn't talk with them yet, but he will pursue it. The Mayor said he will go with Tim to talk with Caisson.

COUNCIL MEMBER HARRIS:

Rogue Stierle Contract: In Harold's absence, the Mayor reported he is a little concerned about Rogue Stierle's contract. Sharon learned in her meetings in Boise that we should have a certified building inspector, so Harold is of the opinion that until such time as we can get him certified, he feels comfortable in using Rogue.

COUNCIL MEMBER DEITZ: Walter had no further report.

REPORT ON MOUNTAIN WEST MUNICIPAL CLERKS INSTITUTE: Sharon reported she attended a municipal clerks institute in Boise last week for three days. There were some excellent classes on city elections, ethics, the legislative process, public records, and they went to the Statehouse and were shown the State budget process. It was very worthwhile.

MAYOR'S BUSINESS:

Lot by Moon Park: The Mayor said Dick recommended we don't survey the property because of the size of it, but we give a quitclaim deed to the property owner with just a description. He said the people next door would like to buy it, and we need to get a figure on what it is worth. The Council was of the opinion that this would be good to do, and authorized the Mayor to get an appraised value for it. Then they will decide what to do.

City Beautification Committee: The Mayor said he would like to appoint a chairman for the beautification committee and have him make some recommendations for committee members, and get a City Beautification Committee. He recommended Rayo Budge as chairman.

MOTION: It was moved by Council member Kershaw and seconded by Council member Barrus that we appoint Rayo Budge as the chair of the beautification committee; motion carried. The Council made recommendations of people who might be willing to serve on the committee.

Status of Grain Silo: The Mayor presented a drawing that Don Bird's class at the college drafted for a proposal on what to do with the grain silo property.

Adult Bookstores: The Mayor explained to Council member Barrus that while he was gone Attorney Lee suggested that we look into and be a little more specific about zoning to prevent adult bookstores moving into our area. We are somewhat protected already by the state law with them required to be 2,500 feet from churches and schools. Attorney Lee will do more checking on that.

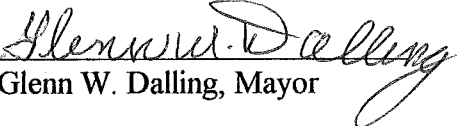
Moratorium on Commercial, Manufacturing, Multi-family Housing, and Cell Towers: Walter explained to Council member Barrus P&Z's recommendation on a moratorium on building of commercial, manufacturing, and multi-family housing until design standards are done. A suggestion was had on doing it month by month and having it on the agenda each month. **MOTION:** It was moved by Council member Kershaw and seconded by Council member Barrus that we put a moratorium on the building of commercial, manufacturing, multi-family housing and cell towers until April 14, 2005; motion carried.

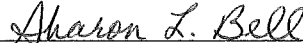
North Rexburg Interchange (proposed cement plant): The Mayor reported the County turned the Burns Brothers down.

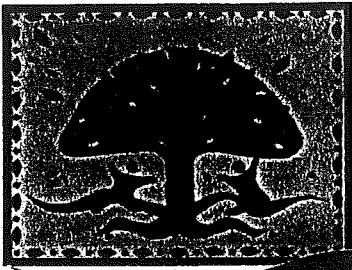
REDESIGNATION OF HIGHWAY 33: Council member Deitz expressed concerns about the Highway 33 redesignation, and we ought to take a proactive stance to move forward and not just wait for somebody to tell us what they are going to do. The Mayor said they can't do anything without our approval and we haven't given it to them. He sat in a meeting with MEDCO where Commissioner Passey thought it was a good thing, that Rexburg and the County were in favor of it, but Sugar City was hesitant because we couldn't see where it benefited us at all. He said he drafted a letter to the engineer in Rigby saying that our preference is to go ahead and have them take over that section, but that this one (the road between Rexburg and Sugar City) would be retained by the State as well. The Mayor said he will finalize the letter next week and have the Council approve it and sign it. It was also suggested we send it to our legislators.

ARBOR DAY PROCLAMATION: **MOTION:** It was moved by Council member Barrus and seconded by Council member Deitz that we declare that the City of Sugar City have an Arbor Day Proclamation to be declared by the Mayor. A copy of said Proclamation is attached hereto, marked "Attachment 1."

Meeting adjourned at 9:45 p.m.

Signed: 
Glenn W. Dalling, Mayor

Attested: 
Sharon L. Bell, Clerk



Arbor Day Proclamation

- Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and*
- Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and*
- Whereas, Arbor Day is now observed throughout the nation and the world, and*
- Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and*
- Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and*
- Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and*
- Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,*

NOW, THEREFORE, I Glenn W. Dalling

Mayor of the City of Sugar City, Idaho, *do hereby proclaim*

April 29, 2005 *as Arbor Day in the City of* Sugar City *and*

I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated *this* 10th *day of* March *in the year* 2005

Mayor Glenn W. Dalling